

1 UNITED STATES DISTRICT COURT

2 DISTRICT OF NEVADA

3 UNITED STATES OF AMERICA,

4 Plaintiff,

5 v.

6 DANIEL ROBERT WARDLAW,

7 Defendant.

Case No. 2:14-cr-203-LDG-CWH

**FINDINGS OF FACT,**  
**CONCLUSIONS OF LAW AND**  
**ORDER**

9  
10 **FINDINGS OF FACT**

11 Based on the Stipulation of counsel and good cause appearing therefore, the Court finds  
12 that:

13 1. Counsel for the defendant will be out of the jurisdiction during the scheduled  
14 hearing date.

15 2. Defendant is incarcerated and does not object to a continuance.

16 3. The parties agree to the continuance.

17 4. The additional time requested herein is not sought for purposes of delay, but  
18 merely to allow the parties sufficient time to finalize the written agreement.

19 5. Additionally, denial of this request for continuance could result in a miscarriage  
20 of justice. The additional time requested by this stipulation is excludable in computing the time  
21 within which the trial herein must commence pursuant to the Speedy Trial Act, Title 18, United  
22 States Code, Section 3161(h)(7)(A), considering the factors under Title 18, United States Code  
23 Section 3161(h)(7)(B)(i), (iv).

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**CONCLUSIONS OF LAW**

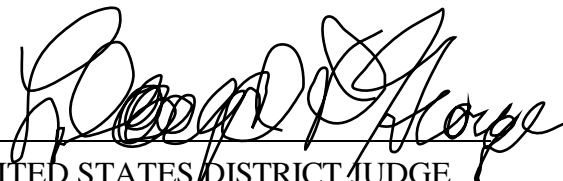
The ends of justice served by granting said continuance outweigh the best interest of the public and the defendant in a speedy trial, since the failure to grant said continuance would be likely to result in a miscarriage of justice, would deny the parties herein sufficient time and the opportunity within which to be able to effectively and thoroughly prepare for trial, taking into account the exercise of due diligence.

The continuance sought herein is excusable under the Speedy Trial Act, Title 18, United States Code, Section § 3161 (h)(7)(A), when the considering the factors under Title 18, United States Code, § 3161(h)(7)(B)(i), (iv).

**ORDER**

IT IS THEREFORE ORDERED that the Hearing on Motion for Appointment of Counsel currently scheduled on Tuesday, May 31, 2016 at the hour of 10:00 a.m., be vacated and continued to June 9, 2016 at the hour of 2:00 p.m..

DATED this 31 day of May, 2016.

  
UNITED STATES DISTRICT JUDGE  
LLOYD D. GEORGE